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5 *Interim Lead Class Counsel*  
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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

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11  
12 *In re Wells Fargo Mortgage Discrimination*  
13 *Litigation.*  
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Case No. 3:22-cv-00990-JD

Honorable James Donato

**STATUS REPORT NO. 1 OF INTERIM  
LEAD COUNSEL FOR PLAINTIFFS;  
REQUEST TO SET INITIAL CASE  
MANAGEMENT CONFERENCE**

1 Plaintiffs, by and through undersigned counsel, respectfully submit this Status Report  
 2 No. 1 of Interim Lead Counsel (“ILC”)<sup>1</sup> following the Court’s January 18, 2023 order  
 3 consolidating case nos. 3:22-cv-00990-JD; 3:22-cv-01748-JD; 3:22-cv-01793-JD; 3:22-cv-01931-  
 4 JD; 3:22-cv-02535-JD; and 3:22-cv-03455-JD (“Consolidation Order”) and its February 22, 2023  
 5 order appointing Dennis S. Ellis of Ellis George Cipollone O’Brien Annagney LLP as ILC (“ILC  
 6 Order”). Dkts. 102, 111.

7 In the ILC Order, the Court identified several procedures necessary for the efficient and  
 8 economical prosecution of this matter and provided that “interim lead counsel will ensure that the  
 9 following practices are adhered to by all counsel who perform work on behalf of the putative  
 10 class.” Dkt. 111, ¶7. In their effort to best represent the putative class, and in keeping with the  
 11 spirit of the Court’s guidelines, Plaintiffs seek clarification that ILC may deviate from the  
 12 guidelines and exercise professional judgment as follows:

- 13 • The Court’s ILC Order instructs that, within 14 days after each month’s end, ILC  
 14 will ensure that a bill for the prior month is finalized, reflecting ILC’s review of the  
 15 billing records and any write-downs or write-offs by ILC for inefficiencies,  
 16 duplication of effort, misjudgments in staffing, and the like. Plaintiffs seek  
 17 clarification that ILC may finalize bills within 21 days after each month’s end.
- 18 • The Court’s ILC Order instructs that, barring an unusual circumstance, only one  
 19 lawyer should attend a deposition when defending it, and no more than two lawyers  
 20 should attend when taking a deposition. Plaintiffs seek clarification that, to the  
 21 extent ILC determines that the best interest of the class requires the attendance of  
 22 an additional attorney(s) at a particular deposition, the Court will not treat such  
 23 attendance as conclusively excessive and exclude related fees.
- 24 • During the course of the litigation, it may be necessary for counsel to meet,  
 25 strategize, and coordinate efforts with external parties, including but not limited to  
 26 experts. Plaintiffs seek clarification that, to the extent ILC determines that the best  
 27 interest of the class requires the participation of more than just one attorney from  
 28 each Plaintiffs’ group,<sup>2</sup> the Court will not treat such participation as conclusively  
 excessive and exclude related fees.

24 Additionally, with the Court now having consolidated the cases and appointed ILC,  
 25 Plaintiffs respectfully request that the Court set the Initial Case Management Conference for

27 <sup>1</sup> To ensure the efficient and economical prosecution of this matter and adherence to the Court’s  
 guidelines, Mr. Ellis intends to provide periodic, material updates to the Court.

28 <sup>2</sup> The Plaintiffs’ groups include Braxton, Williams, Ebo, Thomas, Pope, and Perkins.

1 May 25, 2023, at 10:00 a.m., or as otherwise convenient for the Court. Plaintiffs have met and  
2 conferred with counsel for Wells Fargo, and they have stated they are available on May 25, 2023.

3 ILC acknowledges the Court's order to file an amended consolidated complaint by  
4 March 24, 2023, which, in accordance with the Court's Consolidation Order, will state claims on  
5 behalf of ethnic and racial minorities who allege they have been discriminated against in mortgage  
6 loans (origination and refinancing) by the Wells Fargo defendants. Dkt. 102.

7 DATED: March 9, 2023

Respectfully submitted,

8 ELLIS GEORGE CIPOLLONE  
9 O'BRIEN ANNAGUEY LLP

10 By: /s/ Dennis S. Ellis

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